

Report Date: November 30, 2006

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

DEC 04 2006

**Eastern District of Washington**

JAMES R. LARSEN, CLERK

DEPUTY  
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Ramiro Crowder Garcia

Case Number: 2:04CR02117-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 8/23/2001

Type of Supervision: Supervised Release

Original Offense: Transport an Undocumented Alien  
Within the United States by Means of a Motor  
Vehicle, 8 U.S.C. § 1324, and 8 U.S.C. § 2

Date Supervision Commenced: 12/3/2004

Original Sentence: Prison - 24 Months; TSR - 36  
Months

Date Supervision Expires: 8/2/2007

Revocation Sentence: Prison - 4 Months; TSR - 24  
Months

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

21. You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

On October 31, 2006, Ramiro Crowder Garcia reported to the U.S. Probation Office in Yakima, Washington, and submitted a urine sample which tested positive for cocaine. Mr. Garcia admitted to consuming cocaine and drinking alcohol on several occasions in October 2006. As a corrective measure, the defendant completed a substance abuse evaluation at Merit Resource Services which recommended intensive inpatient treatment. On November 8, 2006, Mr. Garcia entered a 21-day intensive inpatient treatment program at Sundown M Ranch. He successfully completed the program on November 29, 2006, and plans to follow through with aftercare services.

In addition, recent 9<sup>th</sup> Circuit case law requires the Court to specify a specific number of urine tests to be set. Enclosed is a waiver signed by the defendant agreeing to the above modification of his conditions of supervised release.

Prob 12B

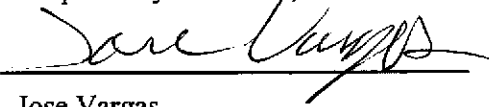
**Re: Garcia, Ramiro Crowder**

**November 30, 2006**

**Page 2**

Respectfully submitted,

by

  
Jose Vargas

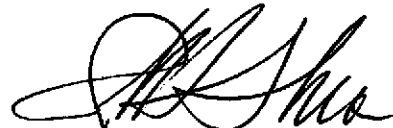
U.S. Probation Officer

Date: November 30, 2006

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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

12/4/06  
Date

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

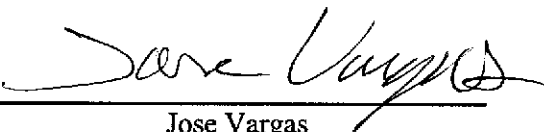
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

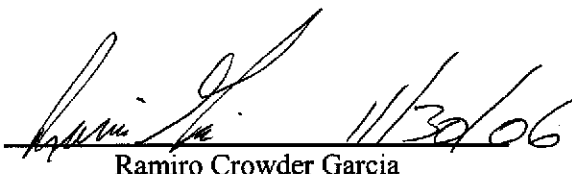
To modify the conditions of supervision as follows:

21. You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance

Witness:

  
Jose Vargas  
U.S. Probation Officer

Signed:

  
Ramiro Crowder Garcia  
Probationer or Supervised Releasee

November 30, 2006

Date